

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

SHIRLEY MAYS,

Plaintiff,

v.

**DEPARTMENT OF HUMAN
RESOURCES, et al.**

Defendant.

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Civil Action No.: 2:07-CV-432-MHT

**MOTION FOR TEN DAY EXTENSION OF TIME TO FILE
PLAINTIFF'S AMENDED COMPLAINT OR OTHER RESPONSE**

COMES NOW the plaintiff, Shirley Mays, and moves this Honorable Court to extend the plaintiff's deadline to file an amended complaint or other response to the defendants' motion to dismiss by one week. In support of this motion, the parties state as follows:

1. Pursuant to the Court's Scheduling Order, the deadline for plaintiff to file an amended complaint or other response to the defendants' motion for November 5, 2007.

2. Under the Court's scheduling orders in the "Crum Spinoff Cases", Counsel for plaintiffs have had eighteen deadlines to file an amended complaint or other response to the defendants' motions to dismiss or in the alternative for a more definite statement from October 24, 2007 through November 5, 2007. Those deadlines are set forth below:

Wilson, Marie	10/24/07
Roberts, Laneeta	10/25/07
Green, Diane	10/26/07
Chinakwe, Charles	10/26/07
Adams, Sylvia	10/29/07
Julius, Artia	10/29/07
Easterling, Velma	10/29/07
Howard, Gail	10/29/07
Mack, Rayford	10/31/07

Moore, Alva	10/31/07
McMillion, Franklin	11/01/07
Taylor, Lee M.	11/01/07
Carson, Dorothy	11/02/07
Owens, Darnell	11/02/07
Price, Laura Johnson	11/02/07
Fagg, Cecil	11/05/07
Warren, Carrie	11/05/07
Mays, Shirley	11/05/07.

3. Counsel for plaintiffs either have had or expect to file timely responses in thirteen of those spin off cases.

4. Five of the six cases set for this Friday or Monday involve the Department of Human Resources. Counsel for plaintiffs assigned to the Human Resources cases has had briefing including an appellee's brief due today in an appeal before the United States Equal Opportunity Commission, as well as three mediations this week.

5. Due to the extensive amount of time necessary to analyze claims and meet with clients for a decision and responsibilities in other cases, counsel for plaintiffs request a one week extension in this and the other four cases Department of Human Resources cases with deadlines set for November 2, 2007 and November 5, 2007. These five cases are the last of the 32 spinoff cases for which amended complaints or other response is due.

6. Additionally, two of the plaintiffs have been ill, including one who was hospitalized, and have been unavailable to meet with counsel.

7. The discovery deadline in these cases is set to run through April of 2009.

8. Counsel for plaintiffs contacted liaison counsel for the defendants who do not consent to this extension request.

Wherefore premises considered, counsel for plaintiff requests a ten day extension of time to respond to the defendants' motion to dismiss or for more definite statement.

Respectfully submitted,

s/ Richard J. Ebbinghouse

Richard J. Ebbinghouse

Attorney for the Plaintiff

OF COUNSEL:

WIGGINS, CHILDS, QUINN & PANTAZIS, L.L.C.

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CERTIFICATE OF SERVICE

I hereby certify that on this the 31st day of October, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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